IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.4200 OF 2006

IN

ADMIRALTY SUIT NO.20 OF 2004

...

Liberty Oil Mills Ltd. ...Plaintiff

v/s.

M.T.Storm ...Defendant

...

None for the Plaintiff.

Mr.P.S.Pratap for the Defendant in support of N/M.

...

CORAM: D.K.DESHMUKH, J.

DATED: 7TH FEBRUARY,2007

P.C.:

This Notice of Motion is taken out by the Defendant

for refund of the amount deposited by the Defendant for release of the vessel. The Plaintiff has been served with this Notice of Motion. The Defendant has filed its affidavit of service. None appears for the Plaintiff. There is no reply filed by the Plaintiff. According to the Defendant, the dispute between the parties has been referred to arbitration, but the Plaintiff has not taken any steps to commence the arbitration. In the absence of any affidavit controverting the averments made in the affidavit filed in support of the motion, motion is granted in terms of prayer clause (a). Motion disposed of.

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